

North Carolina Certified Paralegal

A PRIMER FOR PARALEGALS

The paralegal profession has seen significant and progressive growth since its birth in the mid-1960s. Paralegals no longer work just in traditional environments such as law firms and governmental agencies. The profession is expanding into corporate legal departments, paralegal teaching positions, freelance paralegal services, and paralegal management positions. Paralegals are also applying their paralegal skills to other careers. The profession is no longer considered a stepping-stone to law school. Furthermore, the days of paralegals working without formal education are steadily declining.

There has been a growing national trend toward paralegal regulation and North Carolina has not been immune to this. In 2004, the NC State Bar adopted and the North Carolina Supreme Court approved The Plan for Certification of Paralegals ("Plan"). The Plan is a *voluntary* certification program that allows paralegals certified by the NC State Bar to use the title "North Carolina Certified Paralegal."

This Plan is an opportunity to raise the professional bar for paralegals in North Carolina. If you are certified as a North Carolina Certified Paralegal, it means you possess a minimum level of paralegal education and participate in yearly continuing paralegal/legal education to keep abreast of changes in the law. Paralegals are professionals who assist attorneys with complicated legal matters every day. Certification is a way to be recognized for your professionalism and continue to provide the best service to the clients whose cases on which you are assisting.

There is a generous "grandfathering clause" during the first two years the regulation is in effect (July 1, 2005, through June 30, 2007) which will take on-the-job training into account. The Plan is meant to provide support for paralegals, not to be a hurdle. A paralegal can qualify in one of three ways during the two year alternate qualification period (grandfathering period) which is from July 1, 2005, through June 30, 2007: (1) combination of a HS diploma, experience and a three hour ethics CLE (2) a combination of experience and national certification or (3) a combination of experience and paralegal education.

If you have been a paralegal for years and have no formal paralegal education you can still qualify for certification under the alternative qualification period (grandfathering period).

As long as you have a high school diploma, have worked at least 5000 hours as a North Carolina paralegal in the last five years and attend a three hour ethics CLE you can apply for certification during the first two years (July 1, 2005 - June 30, 2007) of the Plan.

No test is required of an applicant for the first two years the Plan is implemented. All applicants after June 30, 2007, will be required to pass an examination in addition to fulfilling the educational requirements.

If you don't want to be certified, you don't have to be. This is a voluntary certification plan. If you choose not to be certified, you would not be able to call yourself a "North Carolina Certified Paralegal," "North Carolina State Bar Certified Paralegal," or a "Paralegal Certified by the North Carolina State Bar Board of Paralegal Certification." However, you could still perform substantive legal work under the supervision of an attorney as a "Paralegal," "Legal Assistant," "Legal Secretary," "Case Coordinator," or any title other than those listed above.

If you become a North Carolina Certified Paralegal you will not be able to compete with attorneys. You will still not be able to practice law and will still be required to work under the supervision of a licensed attorney. The certification does not expand the duties of paralegals and does not change the Authorized Practice of Law statute. In fact, it is hoped that this plan will create ethical duties to further support the Authorized Practice of Law statute.

North Carolina Certified Paralegals will be required to attend annual continuing education programs to maintain their certification. Six hours of annual continuing paralegal/legal education will be required of all NC Certified Paralegals, including those who meet the grandfathering provisions.

Becoming a North Carolina Certified Paralegal will not negatively affect your national certification. Certified Legal Assistants (CLA) and PACE-Registered Paralegals (RP) have already demonstrated their excellence and their commitment to the paralegal profession. Becoming a North Carolina Certified Paralegal will demonstrate your commitment to the paralegal profession on the state level.

If you are a freelance paralegal, becoming a North Carolina Certified Paralegal is particularly important to you. The professional standards created by the Plan will provide the freelance paralegal who chooses to become certified an opportunity to be clearly identified by attorneys, consumers, and other paralegals as having met high professional standards. However, it will *not* allow freelance paralegals to represent the public directly unless you are already authorized by law to provide services directly to the public (i.e. social security disability and patents).

The cost for certification is affordable. The cost is only \$125 to apply for initial certification and the annual renewal fee is only \$50.

The first application for certification will be accepted by the NC State Bar on July 1, 2005. This date begins the two year alternate qualification period (grandfathering period) which will end on June 30, 2007. After June 30, 2007, you will be required to fulfill the educational requirements and pass a paralegal certification exam.

Why should I become a NC Certified Paralegal? Establishing minimum educational and continuing educational standards in North Carolina enhances the quality of legal services that paralegals can provide to attorneys and indirectly to their clients. More importantly, it lends credence to the paralegal profession by emphasizing the importance of paralegals in the practice of law and a much-deserved recognition of the paralegal profession in North Carolina. Becoming a NC Certified Paralegal is the next step in your paralegal career.

If you want further information including a list of FAQ's or to view the entire Plan for Certification of Paralegals, please visit www.nccertifiedparalegal.org.